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9 Attorneys for Plaintiff  
San Jose Police Officers' Association

10 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
11 COUNTY OF SANTA CLARA  
12

13 SAN JOSE POLICE OFFICERS'  
ASSOCIATION,

14 Plaintiff,

15 v.

16 CITY OF SAN JOSE, and DOES 1-  
17 10, inclusive,

18 Defendants.  
19

No.

**112CV225926**

**DECLARATION OF GREGG MCLEAN ADAM  
IN SUPPORT OF SAN JOSE POLICE  
OFFICERS' ASSOCIATION'S MOTION FOR  
PEREMPTORY CHALLENGE  
[CODE CIV. PROC. § 170.6]**

20 I, Gregg McLean Adam, depose and say as follows:

21 1. I am an attorney licensed to practice before all the courts of the State of  
22 California. I am a partner with the firm of Carroll, Burdick & McDonough LLP, attorneys  
23 of record for plaintiff San Jose Police Officers' Association ("SJPOA"), in this matter.

24 2. I am making this declaration in support of SJPOA's Motion for  
25 Peremptory Challenge, pursuant to Code of Civil Procedure, Section 170.6, which  
26 accompanies this declaration. I am familiar with the facts set forth in this matter, as well  
27 as those set forth in this declaration. If called upon as a witness, I could and would testify  
28 competently to these facts.

CBM-SF552633

ENDORSED  
FILED

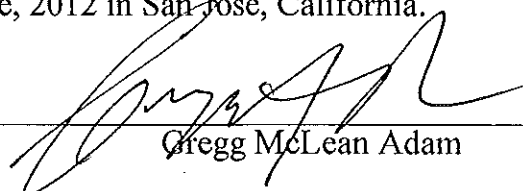
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David H. ... Court  
County of Santa Clara  
By: McBryden

1           3. The Honorable Mark H. Pierce, the judge to whom this matter has been  
2 assigned, is prejudiced against SJPOA, its attorneys, or the interests of SJPOA, so that I  
3 believe SJPOA cannot have a fair and impartial hearing before such judge.

4           I declare under penalty of perjury under the laws of the state of California that  
5 the foregoing is true and correct.

6           Executed on this 6<sup>th</sup> day of June, 2012 in San Jose, California.

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10 Gregg McLean Adam  
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